VA Programs for Justice-Involved Veterans

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Veterans returning home from Iraq and Afghanistan:

- During Operation Enduring Freedom and Operation Iraqi Freedom, 2.4 million US military members have been deployed to the war zones.
- More than 1 million have had multiple deployments.
- Since 9/11, of the 899,000 OIF/OEF veterans treated at V.A. hospitals and clinics, 30% have been diagnosed with Posttraumatic Stress Disorder (PTSD).
Veterans’ Unmet Legal Needs

- As documented in VA’s most recent CHALENG survey, homeless Veterans ranked legal needs regarding eviction or foreclosure proceedings, child support issues and outstanding warrants or fines as the 3rd, 6th and 10th highest unmet needs.

- Homeless or formerly homeless Veterans rank these legal needs as less likely to be met than their needs for permanent, transitional, or emergency housing.

- Other common legal needs of Veterans involve accessing to public benefits; guardianship; clearing up bad credit; family issues like visitation or custody of children, or divorce; and expungement of a criminal record that can be a barrier to employment or obtaining permanent housing.
Connecting Veterans with Legal Services

Partnership: Veterans Justice Programs and VA Office of General Counsel

- Teaming Regional Counsel attorneys with VJO/HCRV Specialists
  - MOUs for jail outreach, new court programs
  - Situational legal analysis and guidance
  - Liaison with state and local bar associations; promotion of pro bono legal services for Veterans
Connecting Veterans with Legal Services (cont.)

- Legal Referral Process for Homeless Veterans
  - VHA Directive 2011-034
  - Identifying unmet legal needs and helping Veterans access legal services (example: www.statesidelegal.org)
  - Providing space in 35 VA medical centers for 38 legal service providers

- Access to Legal Services
  - Legal services for homeless and at-risk Veterans through VHA Supportive Services for Veteran Families (SSVF) program
  - Promoting legal service providers’ participation in SSVF as subcontractors (example: DoJ Access to Justice Initiative webinar)
  - FY 2012: 19 SSVF grantees subcontracted with a legal service provider; 1 grantee is itself a legal service provider
Justice-involved Veterans

Most (est.: 82%) justice-involved Veterans are likely eligible for VA health care (U.S. Department of Justice, Bureau of Justice Statistics (BJS))

Veterans Justice Outreach:

- A Veteran in contact with local law enforcement who can be appropriately diverted from arrest into mental health or substance abuse treatment;
- A Veteran in a local jail, whether detained pre-trial or serving a sentence; or
- A Veteran being adjudicated or monitored by a court
VHA Justice Outreach Services

Justice Outreach

− Gain access to the jail
− Identify Veterans and Determine Eligibility
− Conduct outreach, assessment, and case management for Veterans in local courts and jails
− Provide/coordinate training for law enforcement personnel
− Linkage to VA and Community Services/Resources

Â Number of VJO Specialists funded: 177
Â Number of 3,365 local jail facilities serviced: Not yet known
Â Number of Veterans receiving VJO services (Oct. 2009 – Sept. 2012): 40,786
VHA Justice Outreach Services (cont.)

Prison Re-Entry

- Health Care for Reentry Veterans: A Veteran being discharged from state or Federal prison
  - Gain access to the prison
  - Educate Veterans’ groups about VA and VA services
  - Identify Veterans and Determine Eligibility
  - Reentry Planning
  - Linkage to VA and Community Services

- Number of HCRV Specialists funded: 44
- Number of prisons serviced: 1,008 (78%) of 1,295 US prisons
- Number of incarcerated Veterans receiving reentry services (Aug. 2007- Sept. 2012): 46,452
VA Authorization

VA cannot provide legal services to Veterans, directly or by contract. But S. 825 would allow VA to contract for legal services for veterans.

VA can provide:
- Outreach, assessment, referral and linkage to services
- Treatment for justice-involved Veterans who are not incarcerated

Title 38 CFR 17.38 does not allow VHA to provide:
- Hospital and outpatient care for a Veteran who is
  - Either a patient or inmate in an institution of another government agency
  - If that agency has a duty to give that care or services
- Exception: Veterans in work release/halfway house facilities
HCRV: Progress

- Operational since 2007

- Prisons engaged
  - Visiting Veterans in 1,001 of 1,254 state and Federal Prisons (80%), up from 344 prisons in FY08

- Veterans contacted
  - Over 46,000 since September 2007
  - Number of Veterans released from prison each year: 29-56,000 (Bureau of Justice Statistics (BJS) estimate)
  - Average number of previous arrests: 8
VJO: Progress Since 2009

Â Every VA medical center has at least one VJO Specialist
   ï 178 centrally funded full time positions

Â Responsible for
   ï Outreach, assessment, case management for justice involved Veterans in local courts and jails
   ï Liaison with local justice system partners
   ï Providing/coordinating training for law enforcement personnel

Â Specialists will
   ï Assist in eligibility determination and enrollment
   ï Function as members of court treatment teams
   ï Refer and link Veterans to appropriate providers

Â Veterans contacted
   ï Over 40,000 since October 2009
Treatment Courts

- Long-term judicially-supervised treatment as an alternative to incarceration or other sanctions
- Drug courts > 2600 operational
- Mental Health courts > 300 operational
- Veterans Treatment Courts
  - 168 operational
  - Veterans Treatment Court Planning Initiative
    (http://www.ndcrc.org/content/veterans-treatment-court-planning-initiative)
  - Veterans Treatment Court Mentor Court Program
    (http://www.nadcp.org/learn/veterans-treatment-courts/veterans-treatment-court-resources/veterans-treatment-court-mentor-c)
VA Support for Veterans Treatment
Courts

A VJO Specialist works in virtually every VTC nationwide.
   - Works with lawyers in advance when possible.
   - Gives the judge current info on VA treatment options open to the defendant.

A Vet Center staff participate in about 20% of VTCs, providing services to combat Veterans.
**VA Support for Veterans Treatment Courts (cont.)**

- Veteran Benefits Administration (VBA) staff participate in a limited number of VTCs (12%). We hope to increase that but emphasis is on claims backlog.

- Specialists help to plan and implement new VTCs.

- 64% of VTC’s allow VHA-ineligible veterans (e.g. less than Honorable Discharge).
  - This equals 14% of those courts’ caseloads.

- VA VJO program is at or very near capacity for staffing the VTC’s. Will require additional staff to keep pace with VTC proliferation.